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NOV 24 2003

Paul Hastings

FACSIMILE TRANSMISSION

from: Diana L. Bush, Ph.D., Esq. facsimile: (858) 720-2555 telephone: (858) 720-2885 initials: DLB4

client name: Metabasis Therapeutics, Inc. client matter number: 45198.00037.CIP1

date: November 24, 2003 pages (with cover):

to: Examiner Shaojia A. Jiang company/office: USPTO facsimile: 703 308-4556 telephone: 703 305-1008

Art Unit 1617

comments:

U. S. Patent Application No. 09/900,364
 A COMBINATION OF FB_{use} INHIBITORS AND ANTIDIABETIC AGENTS
 USEFUL FOR THE TREATMENT OF DIABETES

Applicant: van Poelje et al.
 Filing Date: July 5, 2001
 Our Ref: 45198.00037.CIP1


Attached hereto are the following documents for filing in the above patent application:

1. Fee Transmittal Sheet
2. Petition for Extension of Time & Response to Restriction Requirement

CERTIFICATE OF TRANSMISSION
 (37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

November 24, 2003
 Date of Transmission

Kimila Carraway
 Name of Person Transmitting Paper

 Signature of Person Transmitting Paper

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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2003**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$750.00)**Complete If Known**

| | |
|----------------------|-------------------|
| Application Number | 09/900,364 |
| Filing Date | November 24, 2003 |
| First Named Inventor | van Poelje et al. |
| Examiner Name | Jiang, Shaojia A. |
| Group Art Unit | 1817 |
| Attorney Docket No. | 45198.00037.CIP1 |

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-2613

Deposit
Account
Name

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.18 and 1.17

- ☐
- Applicant claims small entity status. See
-
- 37 CFR 1.27

Charge fee(s)

- 2.
- ☒
- indicated below:

FEE CALCULATION**1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 780 | 2004 | 375 | Reissue filing fee | |
| 1005 | 180 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$0)**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 1 | -20 | 18 | 0 |
| 1 | -3 | 84 | 0 |

Multiple Dependent

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------------|-----------------------|----------------------|-----------------------|---|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$0)

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|------------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | \$2,010.00 |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 800 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$2,010.00)**SUBMITTED BY**

Complete (if applicable)

| | | | | | |
|-------------------|----------------------------|-----------------------------------|----------|-----------|----------------|
| Name (Print/Type) | Diana L. Bush, Ph.D., Esq. | Registration No. (Attorney/Agent) | 51,109 | Telephone | (858) 720-2500 |
| Signature | <i>Diana L. Bush</i> | Date | 11/24/03 | | |

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Patent
45198.00037.CIP1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** RECEIVED
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NOV 24 2003

OFFICIALApplicants: van Poelje *et al.*

Serial No.: 09/900,364

Filed: July 5, 2001

Group Art Unit: 1617

Examiner: Jiang, Shaojia A.

Title: **A COMBINATION OF FB^{ase}
INHIBITORS AND ANTIDIABETIC
AGENTS USEFUL FOR THE
TREATMENT OF DIABETES**Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**PETITION FOR EXTENSION OF TIME**
&
RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is responsive to the Written Restriction Requirement mailed May 23, 2003. Applicants hereby apply for a 5-month extension of time under 37 CFR § 1.136(a). With the granting of the foregoing petition for extension of time, it is believed that this response is timely filed. If any fee should become due or credit become payable during the pendency of this application, the Examiner is authorized to charge or credit the same to deposit account number 50-2613.

CERTIFICATE OF TRANSMISSION
(37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

11/24/03
Date of Transmission
SAN/71914.1Kimila Carraway
Name of Person Transmitting Paper
Kimila Carraway
Signature of Person Transmitting Paper